

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Portnoy et al

Group Art Unit: 1636

Serial No. not yet assigned

Examiner: Railey, J.

Filed: herewith

Attorney Docket No. B98-039-2

For: *Intracellular Delivery Vehicles*

This application is a continuation of Serial No. 09/133,914, filed: Aug 13, 1998.

Date: December 21, 1999

PRELIMINARY AMENDMENT

The Assistant Commissioner for Patents  
Washington, DC 20231

Dear Commissioner:

Please enter the following amendments:

IN THE CLAIMS

Please cancel all pending claims and add new claims 11-65 as follows:

1 ~~11.~~ A vaccine comprising a nonvirulent bacterium comprising a first gene encoding a nonsecreted foreign functional cytolsin operably linked to a heterologous promoter which expresses the cytolsin in the bacterium, and a second gene encoding a different foreign antigenic agent.

2 ~~12.~~ The vaccine of claim ~~11~~, wherein the cytolsin is absent a functional signal sequence.

3 ~~13.~~ The vaccine of claim ~~11~~, wherein the cytolsin is listeriolysin.

4 ~~14.~~ The vaccine of claim ~~11~~, wherein the bacterium further comprises a third gene encoding an invasin and a fourth gene encoding an autolysin.

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